

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7071
Facsimile: (415) 436-7234
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-764-SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
JUAN HERRERA-SANTOS,)	
)	
Defendant.)	
_____)	

On December 21, 2007, the parties in this case appeared before the Court and stipulated that time from December 21, 2007 through January 25, 2008 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery, which government counsel has produced and additional discovery, which the government will produce. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed

1 that the ends of justice served by this continuance outweighed the best interests of the public and
2 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

3
4 SO STIPULATED:

5
6 JOSEPH P. RUSSONIELLO
United States Attorney

7
8 DATED: January 17, 2008

_____/s/
9 TAREK J. HELOU
Assistant United States Attorney


10
11 DATED: January 17, 2008

_____/s/
12 STEVEN KALAR
Attorney for Defendant JUAN HERRERA-SANTOS

13
14 As the Court found on December 21, 2007, and for the reasons stated above, the Court finds
15 that the ends of justice served by the requested continuance outweigh the best interests of the
16 public and the defendant in a speedy trial. The Court also finds that time from December 21,
17 2007 through January 25, 2008 shall be excluded from Speedy Trial Act calculations for
18 effective preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the
19 requested continuance would deny counsel reasonable time necessary for effective preparation,
20 taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18
21 U.S.C. § 3161(h)(8)(B)(iv).

22
23 SO ORDERED.

24
25 DATED: _____



26 THE HONORABLE SUSAN ILLSTON
United States District Judge